

The parties' request at ECF No. 21 is GRANTED. By **February 16, 2024**, the parties shall file their joint letter-motion for approval of their settlement agreement as fair and reasonable under Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015).

The Clerk of Court is respectfully directed to close ECF No. 21.

SO ORDERED 2/13/2024


SARAH L. CAVE
United States Magistrate Judge

Via ECF

Honorable Sarah L. Cave
United States Magistrate Judge
U.S. District Court Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Bevel v. Mennella's Poultry Co., Inc.*, 23-cv-5678-JLR-SLC

Dear Judge Cave:

This firm represents Defendant Mennella's Poultry Co., Inc. ("Mennella") in the above-referenced matter, which has been referred to Your Honor for review of the parties' proposed settlement pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). *See* Dkt. No. 18. Defendant, on behalf of all parties, respectfully requests a brief extension of time from February 12, 2024 until February 16, 2024 to submit a joint letter motion addressing whether the settlement is fair and reasonable. *See* Dkt. No. 19. This request is made because the parties' settlement agreement is not yet fully executed. An extension until the end of the week should provide sufficient time to obtain all parties' signatures.

This is the first request for an extension of the Court's deadline and we apologize for submission of the application on the eve of the deadline.

Thank you for your attention to this matter.

Respectfully submitted,

FRIER & LEVITT, LLC

/s/ Matthew J. Modafferi

Matthew J. Modafferi, Esq.